

is easy to see how more money might help, but in this era of budget constraints, no large infusion of cash is going to come from Washington. In some respects, that's appropriate. Different communities have different needs, and my sense is that locally created solutions forged by partnerships among businesses, schools, churches, and government are probably going to be most successful. Nonetheless, we do have a responsibility as a nation to see that children are given the opportunity to prosper. Finding a way to pay child care workers a living wage and assure that they are professionally trained and supervised is crucial. Some suggest that greater government regulation of child care providers would improve care, but others worry that this would drive up costs and worsen the affordability problem.

President Clinton has proposed spending \$300 million to train 50,000 day care providers who promise to stay in the field at least one year. He also pledged to devote more AmeriCorps volunteers to after-school programs. Others have proposed raising the Department Care Tax Credit, which has not been increased since 1981, and making the credit refundable for low-income families. Still others believe that more child care is a bad approach and favor providing incentives for parents to stay at home with children or utilize flexible work arrangements.

We need to place a higher priority on meeting the educational and emotional needs of young children. There are many difficult questions surrounding the availability, affordability, and quality of child care in this country, and plenty of room for argument on how best to achieve satisfactory arrangements. But all of us have a stake in giving every child a decent start. My strong sense is that not nearly enough child care is of the quality that all children deserve. I have the feeling that finding a way to improve child care is one of the next big challenges ahead.

TRIBUTE TO ROBERT FRANCIS RITTER, JR.

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Robert Francis Ritter, Jr. who has served as the President of the Reseda Chamber of Commerce for the last two years.

One only has to look at the choices Rob has made throughout his life and his career to realize his commitment to family. He has worked in his family printing business for 16 years, alongside his mother, father, sisters and brothers-in-law. Working together as a team, the Ritter family has not only developed a successful business, they have maintained strong bonds out of the office as well. The Ritter family also adeptly demonstrated their strength and unity at the softball city semifinals last season.

As President of the Reseda Chamber of Commerce, one of Rob's priorities has been to create an environment in which the standard for families has been raised. He developed and maintained the Facade Improvement Program and the Business Improvement District, which were started by Councilmember Laura Chick. In addition, Reseda received \$310,000 from the Los Angeles Neighborhood Initiative. Rob worked to ensure that all of these programs have a positive and lasting effect on our community.

William James once said, "The greatest use of life is to spend it for something that outlasts it." Though Rob Ritter's term as president is over, the work he has done for Reseda will be appreciated for many years to come. Mr. Speaker, distinguished colleagues, please join me in honoring Robert Ritter, for his commitment to our community.

THE HAWAII FEDERAL MEDICAL ASSISTANCE PERCENTAGE AD- JUSTMENT ACT OF 1998

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. ABERCROMBIE. Mr. Speaker, I rise today to introduce legislation to adjust the Federal medical assistance percentage [FMAP] rate for Hawaii to more fairly reflect the state's ability to bear its share of Medicaid payments. I am pleased that my colleague, Representative PATSY MINK, has joined me as a sponsor of this measure. I am also happy to join our Senate counterparts, Senator DANIEL AKAKA and Senator DANIEL INOUE, in putting forth this legislation. In November 1997, a similar bill, S. 1376 was introduced by Senator AKAKA.

The Federal share of Medicaid payments for each state varies according to the state's ability to pay. Because per capita income is the determining factor for ability to pay, wealthier state bear a larger share of the cost of the program through lower FMAP rates. In Hawaii, per capita income is relatively high. Thus, the State's FMAP rate is 50 percent, the lowest level. Under this bill, Hawaii's FMAP rate would be increased from 50 percent to 59.8 percent.

The rationale for the FMAP rate change is quite simple. Hawaii's high cost of living skews the per capita income determining factor. Based on 1995 United States Census data, the cost of living in Honolulu is 83 percent higher than the average of the metropolitan areas. More recent studies have shown that for the state as a whole, the cost of living is more than one-third higher than the rest of the United States. In fact, Hawaii's Cost of Living Index ranks it as the highest in the country. Some government programs take the high cost of living in Hawaii into account and funding is adjusted accordingly. These programs include Medicare prospective payment rates, food stamp allocations, school lunch programs, housing insurance limits, Federal employee salaries, and military living expenses. These examples show a Federal recognition that the higher cost of living in noncontiguous states should be taken into account in fashioning government program policies. It is time for similar recognition of this factor in gaging Hawaii's ability to support its health care programs.

An excellent analysis of this issue is included in the twenty-first edition of "The Federal Budget and the States," a joint study conducted by the Taubman Center and Local Government at Harvard University's John F. Kennedy School of Government and the office of Senator DANIEL PATRICK MOYNIHAN. According to the study, if per capita income is measured in real terms, the State of Hawaii ranks 47th at \$19,755 compared to the national av-

erage of \$24,231. Thus, Hawaii's 50 percent FMAP rate is understated because cost of living factors are not considered. Per capita income is a poor measure of Hawaii's relative ability to bear the cost of Medicaid services.

In addition to the high cost of living, the Harvard-Moynihan study finds that Hawaii also has one of the highest poverty rates in the nation. The state's 16.9 percent poverty rate is ranked eighth in the country, compared to the national average of 14.7 percent. These higher cost levels are reflected in state government expenditures and state taxation. On a per capita basis, state revenue and expenditures are far higher in Hawaii, as well as Alaska, than in the 48 mainland states. The higher expenditure levels are necessary to assure an adequate level of public services which are more costly to provide in our states. Of the top 10 states with the highest poverty rates in the country, the Harvard-Moynihan study finds that only 3 others have an FMAP rate between 50 and 60 percent. The other six states have FMAP rates of 65 percent and higher. Even more revealing is that of the top 10 states with the lowest real per capita income, only Hawaii has a 50 percent FMAP rate.

During consideration of the Balanced Budget Act of 1997, the Senate included a provision increasing Alaska's FMAP rate to 59.8 percent for the next 3 years. Setting a higher match rate as was done for Alaska would still leave Hawaii with a lower FMAP rate than a majority of the states, but would better recognize Hawaii's ability to pay its fair share of the costs of the Medicaid program.

I hope to make my colleagues in the House of Representative colleagues cognizant of the need for this legislation and to earn their support for its passage in the 105th Congress.

REGARDING THE ELECTIONS HELD IN GUYANA

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. BISHOP. Mr. Speaker, I rise today to commend the people of the Republic of Guyana for holding multiparty elections on December 15, 1997. By most accounts, based on the observations of international organizations on the day of the elections, the process was free and fair.

I congratulate the Guyanese people for their strong belief in the democratic process as shown by an 88 percent voter turnout.

I regret that factions in the country called for civil disobedience and that there was mass looting and rioting for many days following the elections.

I encourage an audit of the elections by the Caribbean Community, (CARICOM) and call on all parties and opposition leaders to respect the outcome of the audit as the final decision and make a vow to peace and stability in Guyana.

I call on the newly elected President Janet Jagan, a native of Chicago, to respect the rule of law and human rights in this fledgling democracy.

IN HONOR OF CAROLYN M.
GREENBERG

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to Carolyn M. Greenberg, a resident of my district whose term as chair of Community Board 8 in Manhattan has just ended.

In taking on this position, Mr. Greenberg committed herself to a year of hard work as a leader, trouble-shooter, and diplomat. In this capacity, Ms. Greenberg has gone above and beyond the call of civic duty. Carolyn Greenberg has long been an advocate for the Upper East Side and, in fact, for all of the residents of the City of New York.

During her time as chair and as a member of Community Board 8, she has demonstrated an unyielding dedication to the quality of life in the City. Carolyn has devoted hours of her free time monitoring local sidewalk cafes, researching community issues such as zoning regulations and environmental hazards, and attending public hearings.

She has been a member of the Environment, Parks, and Pedestrian Affairs Committees, demonstrating that her spirit of public good extends to a variety of areas. She has many areas of expertise and has been very influential in diverse community issues through the years that I have worked with her.

Ms. Greenberg served as a member of Community Board 8 from 1979 through 1985, and again from 1986 to the present. She served as first and second vice chair, then as chair from 1996 to 1997.

The efficiency and effectiveness Carolyn Greenberg has displayed in her role as chair of Community Board 8 should serve as a model for all community activists. Without people like Ms. Greenberg working to improve communities on the local level, our works as Members of Congress would be compounded tenfold. We should not only remember, but gratefully acknowledge the credit well-deserved by civic leaders. It is the hardworking people like Ms. Greenberg who keep alive the small-town feeling which could so easily be lost in a big city.

Ms. Speaker, I ask that my colleagues rise with me in this tribute to Ms. Carolyn Greenberg, a woman who has worked very hard to improve her community. Thank you.

HUGHSON HIGH SCHOOL HUSKIES

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. CONDIT. Mr. Speaker, I rise today to honor the Hughson High School Huskies football team for their perfect 1997 season, capped by their 34-12 victory over Colfax High School in the Sac-Joaquin Section Division III championship game, under head coach Reyn Franca. The outstanding sportsmanship, citizenship, athleticism and team spirit displayed by the Huskies reflects great credit on their community as well as the entire 18th Congressional District.

Hughson is a small community in the great Central Valley of California. It's a place known for hard working, close knit families. People care about and take care of each other. For the people who call Hughson home, family values isn't a slick sounding slogan—it's a way of life. Like most communities its size, life revolves around its high school.

Hughson High strives to maintain a stellar reputation for excellence from the classroom to the athletic fields. Arguably the best small school football team in California, the 1997 season marks the third time in seven years the Huskies have won the Sac-Joaquin Section Division III football title. Cal-Hi Sports Magazine also honored the Huskies as the state's best small school football team.

Mr. Speaker, what makes this season and particularly, this team, so impressive is the commitment team members made to each other following last year's disappointing loss in the final 22 seconds of the championship game. They made a promise to work together and to work harder than ever. That's the kind of people who live in Hughson. They don't dwell on past mistakes. They look forward to the future, roll up their sleeves and get the job done.

Homer Garza, the team's leading rusher summed it up best: "This class is real close. We knew what we had to do and we did it as a team. I think a lot of our togetherness goes along with the coaching staff. (Reyn) Franca, Bob Loretelli and Dan Walsh all prepared us to think 'we' instead of 'I'."

The Hughson High School Huskies are an example of excellence. It is with great pride that I ask the United States House of Representatives to recognize and honor the Huskies and the community of Hughson.

THE INDEPENDENT COUNSEL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 28, 1998

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, December 17, 1997 into the CONGRESSIONAL RECORD.

**CAMPAIGN FUNDRAISING AND THE
INDEPENDENT COUNSEL LAW**

On December 2, 1997 Attorney General Janet Reno announced that she would not request the appointment of an independent counsel to investigate fundraising phone calls by the President and Vice President from the White House. The decision does not end further investigation by the Justice Department, the FBI, and congressional committees into these and other allegations of fundraising abuse. The Attorney General reserved the right to seek an independent counsel in the future if the evidence so warrants.

Her decision may nonetheless mark a turning point in the fundraising scandal, perhaps signaling the beginning of the end of the investigation. The appointment of an independent counsel, in contrast, would have subjected the White House and Democratic National Committee to the wide-ranging investigative and prosecutorial powers of the counsel and almost certainly prolonged the inquiry for many years.

What is the independent counsel law? Congress enacted the independent counsel law in

1978 in response to Watergate and the seeming inability of the executive branch to investigate and prosecute crimes by senior administration officials. The statute aims to handle such cases in an impartial manner, thus restoring public confidence in the process. An independent counsel is appointed by a panel of judges at the request of the Attorney General, and works outside the executive branch.

When is the law triggered? The Attorney General must request the appointment of an independent counsel if there is specific and credible information that a crime may have been committed by a high-ranking official, or for others for whom it would be a conflict of interest for the Justice Department to investigate. The Attorney General, however, may not ask for an independent counsel to investigate allegations that the Justice Department would not prosecute under its existing standards.

What was the focus of this investigation? The Attorney General focused her inquiry on whether the President and Vice President made fundraising calls from the White House in violation of a federal law known as the Pendleton Act. This law was enacted in 1883 in an effort to prevent federal officials from shaking down their employees for contributions. It has since been expanded to cover certain solicitations of private persons, but has been rarely enforced in recent times. Applying this law to the White House phone calls raised difficult legal issues. First, it was unclear how the law might apply to the White House residence (where the President lives) as opposed to White House offices (where he works). Second, it was unclear what types of solicitations the law was intended to proscribe. Some had argued the law covered solicitations for so-called "hard money" contributions, which are contributions for specific federal campaigns and are stringently regulated, while others said it also covered solicitations for so-called "soft money" contributions, which are contributions for general party-building activities and are only lightly regulated.

What did the investigation find? The Justice Department concluded that the President made two thank-you calls to contributors and one call soliciting money. Those calls, however, were made from the White House residence, which, the Attorney General said, was not covered by the law under existing Justice Department guidelines. The investigators also reviewed 45 fundraising calls from White House offices by the Vice President. The Attorney General determined that the calls were meant to raise "soft money," which she said was not covered under the specific terms of the act.

What has been the reaction to the decision? Critics have focussed less on her analysis of the Pendleton Act, which many consider sound, than on the scope of her investigation. First, critics say she asked the wrong legal question: her focus should have been on the Democratic Party's advertising campaign on behalf of the President, which was funded by "soft money" contributions and coordinated with the President. Critics say the President and party leaders intentionally sought to evade the spending caps to which presidential candidates must agree as a condition of receiving federal funds. Others would respond that campaign finance laws in this area are hopelessly ambiguous and that both sides used similar techniques to evade spending limits.

Second, critics say the Attorney General focused her inquiry too narrowly on potential violations of an obscure and rarely-enforced federal law, rather than on the wider pattern of fundraising abuses, including the use of the White House for fundraising purposes. These critics say the independent counsel law was designed for such sensitive